



Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.

[P-2564](#)

Public Notice Date

[July 14, 2006](#)

Expiration Date

[August 4, 2006](#)

Postmaster Please Post Conspicuously Until:

File Number: 2006-608

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached maps.

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must reach this office no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Ward Lenz

APPLICANT: Gundaker Commercial Group, Inc., Mr. Mark Hejna, 103A Elm Street, Washington, Missouri, 63090. Ph. (314) 298-5120.

AGENT: SCI Engineering, Inc., c/o Ms. Tracy Knerrer, 650 Pierce Boulevard, O'Fallon, Illinois, 62269.

LOCATION: The project area is a 44-acre site located west of Interstate 55 and south of Willow Drive, in Pevely, Jefferson County, Missouri (Township 41 North, Range 5 East, Section 24). The project area is adjacent to Sandy Creek, a secondary tributary to the Mississippi River. See attached map.

PROJECT DESCRIPTION: The applicant seeks authorization to conduct grading and filling operations in waters of the United States in conjunction with the development of a 44-acre tract of land into a multi-family residential development known as Pevely Pointe Apartments, and associated storm-water detention and borrow areas. Jurisdictional waters on the site include Sandy Creek and a 0.67-acre pond/wetland. The site also contains a non-jurisdictional sewage lagoon. The applicant is proposing to fill the 0.67-acre pond/wetland to support the development, impact approximately 20 lineal feet of Sandy Creek for the construction of a storm-water discharge point, and temporarily

impact approximately 45 lineal feet of Sandy Creek to construct a temporary crossing to access a proposed borrow site. Four borrow areas are proposed for the project; three on the north side of Sandy Creek, and one on the south side of Sandy Creek.

LOCATION MAPS AND DRAWINGS: See attached. Maps are also available for viewing on our online version of this Public Notice which may be accessed through the St. Louis District Regulatory Branch Public Notice webpage at the following link: <http://www.mvs.usace.army.mil/permits/pn.htm>

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Ward Lenz, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8186. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to gary.w.lenz@mvs02.usace.army.mil.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

WATER QUALITY CERTIFICATION: The project plans have been submitted to the Missouri Department of Natural Resources, Water Protection Program for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification is requested as of the date of this Public Notice, and if issued, will express the Agency's opinion that the proposed activities will not violate applicable water quality standards. Written comments concerning possible impacts to waters of Missouri should be addressed to: Missouri Department of Natural Resources, Water Protection Program, Post Office Box 176, Jefferson City, Missouri 65102-0176, with a copy provided to the Corps of Engineers.

SECTION 404 (b)(1) EVALUATION: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404 (b)(1) of the Clean Water Act.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will

be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

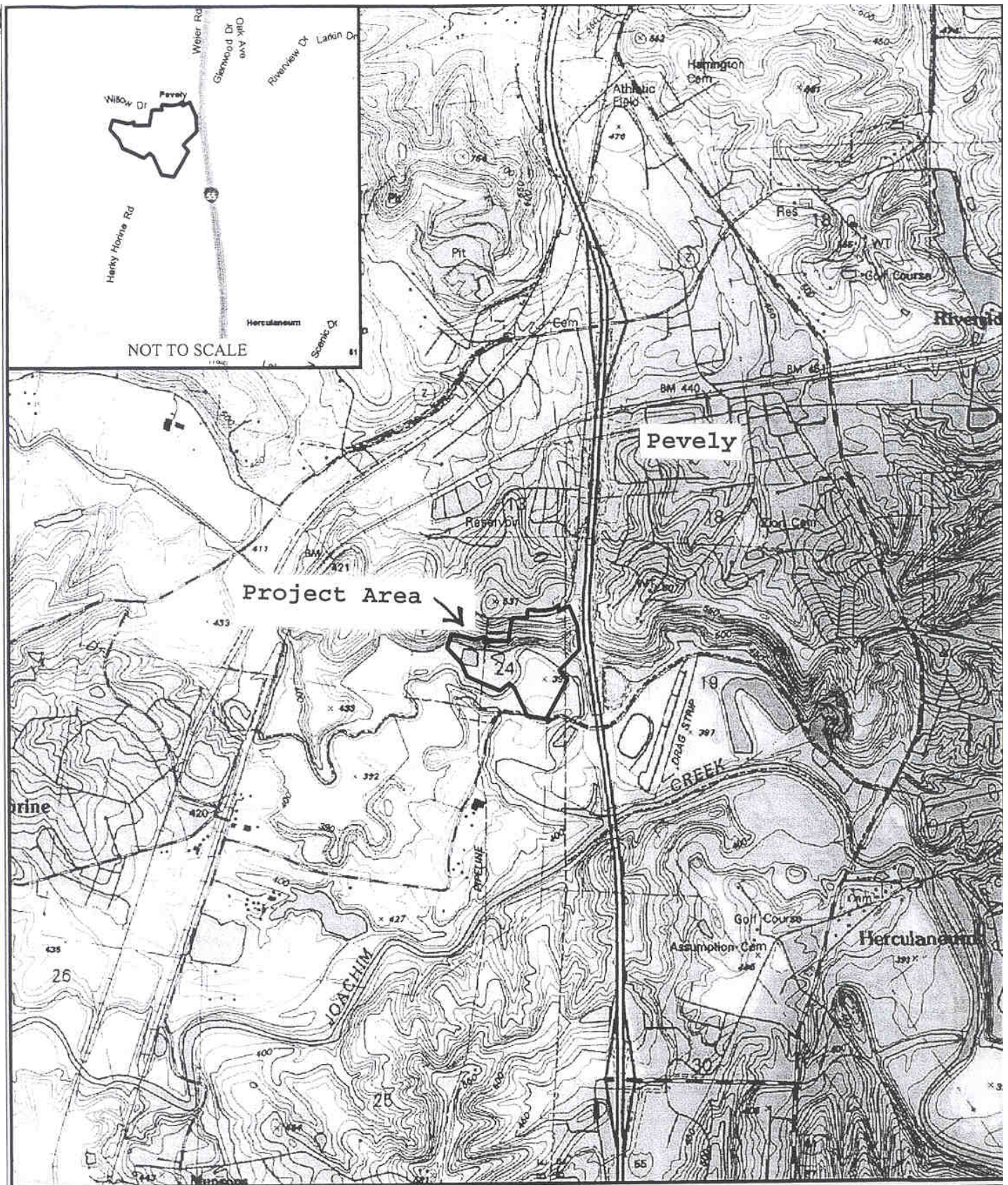
SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.



PROJECT NAME
PEVELY POINTE APARTMENTS
PEVELY, MISSOURI

VICINITY AND TOPOGRAPHIC MAP

DRAWN BY EES DATE JOB NUMBER

General Notes/Legend

USGS TOPOGRAPHIC MAP
HERCULANEUM, MISSOURI QUADRANGLE
DATED 1993
10' CONTOURS

P-2564

Sheet 1 of 2

Location/Topographic Map



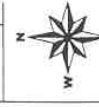
SCALE 1" = 2000'

FIGURE 1

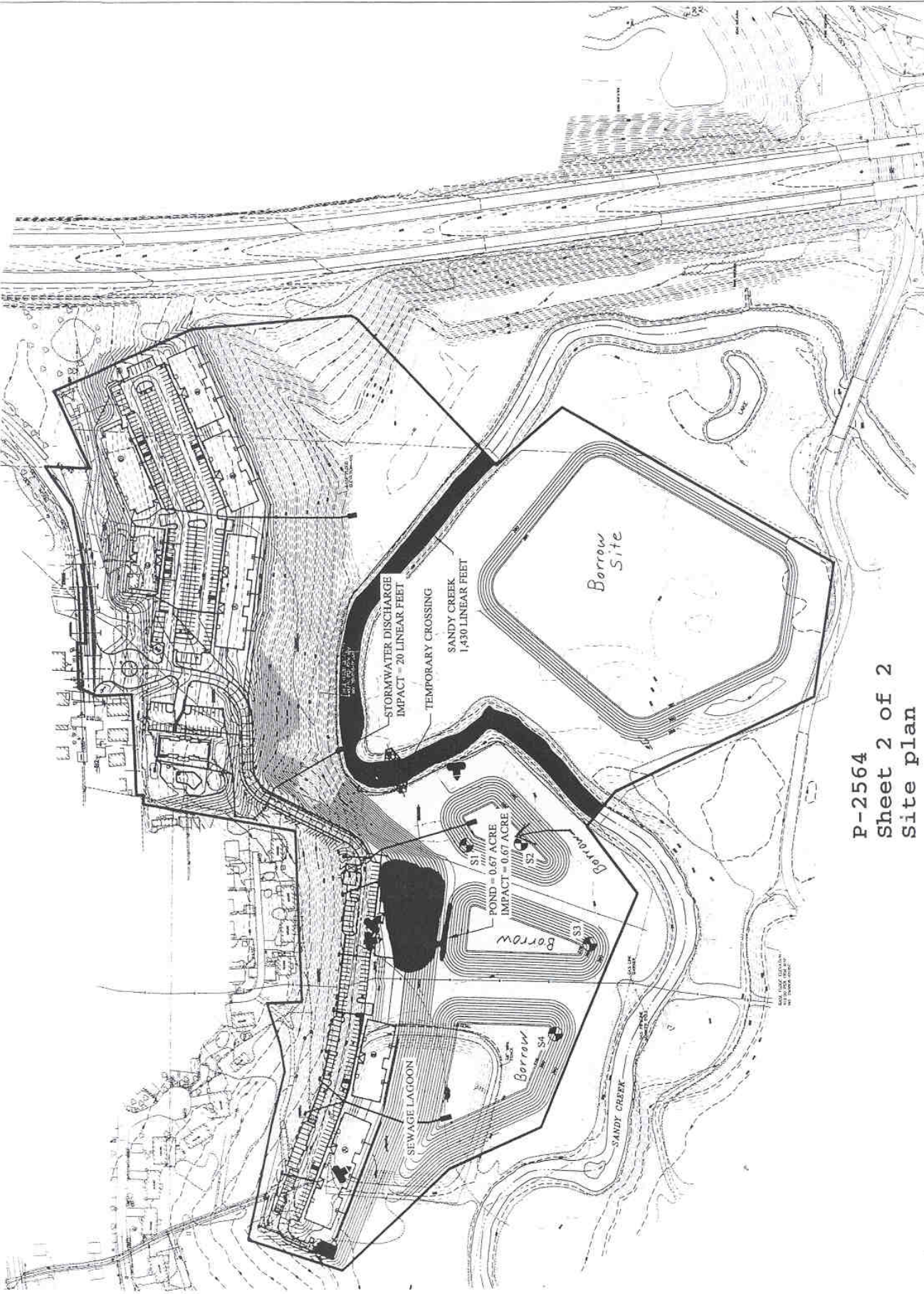


General Notes/Legend
3 INDICATES PHOTOGRAPH LOCATION, DIRECTION AND DESIGNATION
4 INDICATES APPROXIMATE SOIL BORING LOCATIONS
BASED ON UNDATED PLAN PROVIDED ELECTRONICALLY ON 06/16/2006
FROM STOCK & ASSOCIATES CONSULTING ENGINEERS, INC.
TRANSMISSION AND DISTRIBUTION ARE APPROVED BY THE MISSOURI STATE BOARD OF ELECTRICAL ENGINEERS

PROJECT NAME
PEVELY POINTE APARTMENTS
PEVELY, MISSOURI
WEST AND DELINEATION AND



SCALE	1" = 20'
JOB NUMBER	2005-2031.3
DATE	06/20/06
DRAWN BY	
CHECKED BY	
FIGURE	3



P-2564
Sheet 2 of 2
Site plan